THE HON'BLE SRI JUSTICE V.ESWARAIAH

W.P.NO.1121 OF 2006

Dt.24.1.2006

Between:

Paatha Gouraiah … Petitioner

And

The Superintendent of Police,

Karimnagar, and 2 others. … Respondents

ORDER:

Petitioner seeks writ of mandamus declaring the action of the respondents particularly the action of respondents 2 and 3 in calling him to the police station illegally and interfering with the civil matters without registering any crime as illegal and arbitrary and consequently direct respondents 2 and 3 not to harass the petitioner by calling him to the police station without registering any crime and not to interfere in the civil matters.

The petitioner submits that for the purpose of doing business he has obtained certain loans and he sustained loss in the business and therefore he could not repay the said amounts. It is further stated that he filed I.P.No.24 of 2005 on the file of the Senior Civil Judge, Peddapalli, Karimnagar District and the same is pending. It is stated certain borrowers are influencing the police for collection of the said

amounts and without their being any complaint or report the police are illegally calling the petitioner to the police station and threatening him to return amounts to the creditors.

Heard the learned counsel for the petitioner as well as the learned Government Pleader on behalf of the respondents.

Having regard to the facts and circumstances of the case, I am of the opinion that without their being any complaint or report alleging that the petitioner either cheated any body in borrowing amounts or committed cognizable offence the police could not interfere with the personal life and liberty of the petitioner. Accordingly, respondents 2 and 3 are directed not to harass the petitioner by calling him to the police station without their being any complaint or registration of crime against him.

The writ petition is disposed of accordingly. No costs.

(V.ESWARAIAH, J)

24.1.2006

Note: Issue copy within two days

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